



Howard County Maryland
Department of Planning and Zoning
3430 Courthouse Drive, Ellicott City, MD 21043



(410) 313-2350

DPZ Office Use only:

Case No AA-21-014

Date Filed 1/21/22

Administrative Adjustment to the Bulk Regulations

Bulk Regulation Adjustment Request

Amount requested: 10' of the side and 2 foot off the back

Height, Setback, Etc: Height 15' 40' set back on side and 28' on back

Zoning Regulation Section: R-20

Reason for Request: Reduce side set back from public st. from 50' to 40' and rear from 30' to 28' in order to build 24' attached garage.

Percent adjustment of the bulk requirement: (May not exceed 20%)

20% Side Set back
7% rear Set back

Petitioner Information

Petitioner's Name: Laurie Z ODonell

Address 8230 Eberta Dr. Ellicott City 21043

Phone No. (W) 410 508 0460 (H) Same Email Address: L Odonell@gmail.com

Counsel for Petitioner: Luke Vane

Counsel's Phone No. 240 910 0936 Email Address: LFVane0518@gmail.com

Property

Address of Subject Property: 8230 Eberta Drive Ellicott City 21043

Total Acreage of Property: 0.479 Election District: council 1 Zoning District: R-20

Tax Map #31 Grid 0007 Parcel 0493 Lot 1

Subdivision Name and File # (if applicable) Garrison sect. 1

Site Development Plan File # SDP- 108.0.D.4.6.(1/11)

Petitioner's Interest in Subject Property:

☒ Owner (including joint ownership)

☐ Owner's Authorization attached (If petitioner is not the owner)

REVISED

A supplement must be attached which addresses each of the following criteria:

- That there are unique physical conditions, including irregularity, narrowness or shallowness of lot or shape, exceptional topography, or other existing features peculiar to the particular lot; and that as a result of such unique physical conditions, practical difficulties and unnecessary hardships arise in complying strictly with the bulk provisions of these regulations.
- The administrative adjustment, if granted, will not alter the essential character of the neighborhood or district in which the subject property is located; will not substantially impair the appropriate use or development of adjacent property; and will not be detrimental to the public welfare.
- That such practical difficulties or hardships have not been created by the owner provided, however, that where all other required findings are made, the purchase of a lot subject to the restrictions sought to be varied shall not itself constitute a self-created hardship.
- That within the intent and purpose of these regulations, the administrative adjustment, if granted, is the minimum necessary to afford relief.

Administrative Adjustment Plan

- All plans must be folded to approximately 8 ½ x 14 inches. The plan must be drawn to scale and must include the items listed below:
 - Courses and distances of property lines
 - Size of property
 - North arrow
 - Scale of plan
 - Zoning of subject property and adjoining property
 - Tax map, parcel and lot number of subject property
 - Required setback or other bulk requirement, and the requested adjustment from the setback or other requirement
 - Existing and proposed uses, structures, natural features, landscaping, parking spaces, driveways, and points of access on the subject property
 - Location of well and private sewerage easement, if applicable
 - Floor area and height of structures, setback distances, and other numerical values necessary for examination of the petition
 - Any other information as may be necessary for full and proper consideration of the petition

Materials, Fees, Posting and Advertising

- The original plus two (2) copies of this petition, all supplemental pages or reports, and the required plans must be submitted.
- The undersigned agrees to pay all costs in accordance with the current schedule of fees. The fee is **\$300.00 plus \$25.00** for a poster. The undersigned also agrees to properly post the property at least 15 days immediately prior to the hearing, to maintain the posters as required, and to submit an affidavit of posting at the time of the hearing.

Signatures

The undersigned hereby affirms that all of the statements and information contained in, or filed with, this petition are true and correct.

The undersigned has read the instructions on this form, filing herewith all of the required accompanying information.

Signature of Petitioner

Signature of Attorney

******James B. O'Donnell*******James B. O'Donnell******

For DPZ office use only:

(Make checks payable to the "Director of Finance")

County Website: www.howardcountymd.gov

Hearing fee: \$

Poster fee: \$

Total: \$

Receipt No.

County Website: www.howardcountymd.gov

NOTE: No appointment is needed to submit this application and payment of fees is not due until a hearing date is set and you are notified.

Four criteria met for administrative adjustment

(8230 Elberta Drive Ellicott City MD 21043)

1. Unique lot & size: The lot in the proposed adjustment for 8230 Elberta drive is a corner lot, as well as having an odd shape. The corner lot creates a rear and side setback that runs diagonal to the road instead of parallel, thus creating BRL's that continue to decrease the allotted space for building as they run through the property. For example, the back corner of the house could be 60 feet from the BRL while the front corner is 50 feet from the BRL. This creates an irregular shape that is allowed to build in.
2. The variance if granted will not alter any essential character of the neighborhood. Being a two-car garage, this build will be in accordance with surrounding homes. The home adjacent to 8230 Elberta drive, located on Hale Haven, has a two-car garage with high ceilings built on their property. A few houses down the road you will also find a three-car garage built in the same neighborhood. This build will not change/disrupt the natural flow of the current community.
3. The hardships shown are not hardships that have been created by the owner. Dealing with the abstract shape of the lot and restriction lines, the owner has had no other option but to request an administrative adjustment in order build ten feet into the current BRL. With the size, and shape of the lot, with the way the home has been built to center this lot, has created obscure building restriction lines for the owner.
4. This variance is the minimum variance necessary in order to provide relief. With the current restrictions, the area that is being allotted does not suffice for an efficient build, and will need the proposed adjustment of encroaching ten feet into the current restriction line in order to provide relief.

Howard County Maryland
Department of Planning and Zoning

Laurie Z. Odonnell
8230 Elberta Drive
Ellicott City, MD 21032
Lodonn8230@gmail.com/laurie.odonnell@troweprice.com

Request for Administrative Adjustment to the Bulk Regulations

Reason for Request: I would like to enjoy the use of my property by adding a 2-car garage. My son is on the Autism Spectrum and enjoys refinishing wood furniture. The additional space would allow him to work on a few pieces of furniture at the same time, and to store furniture that has been finished. This would also allow him to be able to work at my home with supervision. I also have 2 older vehicles which require repairs and regular maintenance. I would like to add a car lift to be able to perform work on the cars. I used my van to pick up furniture, and it is 16.7ft long, so it requires significant space.

Unique conditions: My house is on a corner lot with an angle to the adjacent street. Because the lot is on a corner, it is adjacent to two streets -- Elberta Drive and Hale Haven Drive. Current zoning regulations require a 50ft setback from roads. That only allows a 15 ft wide garage to be constructed on the side of the house. Otherwise, I have ample room on my property to build a 2-car garage.

Neighborhood: All of my adjacent neighbors have 2-car or 3-car garages which allow them to store their cars in winter, or to perform repairs and maintenance on them. The garage would be setback from the Elberta Drive street by over 50 feet, so it would not be visibly intrusive. I also have a bush hedge and a berm at the side of my property close to the road which would further obstruct view of the garage from the Hale Haven Drive side.

My son cannot do woodworking at my house in cold or inclement weather currently due to a lack of a garage. This causes a hardship as he cannot do woodworking much of the time. I would like him to be able to have a workspace year-round to keep active as a productive member of society. He is an Eagle Scout and is eager to work hard. Due to his disability, he needs some supervision and assistance.

The current zoning allows a 15 ft garage to be built, but I would like this adjustment in order to build a 24ft wide garage to accommodate my cars and woodworking. This would require a 10 ft adjustment to the current zoning regulations. The extra 10 ft would allow sufficient space for my son's wood-working and a lift for car repairs and maintenance. Since my car (Toyota Sienna minivan) is 6.5 ft wide, with clearance to open doors (45" each) it requires almost 14 ft in width. The car would barely fit in a 15ft

wide space, even parked carefully. The additional 10ft would be just enough to have the car in the garage and load/unload furniture and allow a space for woodworking.

2.

Variances

a.

The Hearing Authority shall have the authority to grant variances from the parking requirements and bulk regulations established in these Regulations, excluding density and minimum or maximum lot size requirements, where all of the following determinations are made:

(1)

That there are unique physical conditions, including irregularity, narrowness or shallowness of lot or shape, exceptional topography, or other existing features peculiar to the particular lot; and that as a result of such unique physical conditions, practical difficulties or unnecessary hardships arise in complying strictly with the bulk provisions of these Regulations.

(2)

That the variance, if granted, will not alter the essential character of the neighborhood or district in which the lot is located; will not substantially impair the appropriate use or development of adjacent property; and will not be detrimental to the public welfare.

(3)

That such practical difficulties or hardships have not been created by the owner provided, however, that where all other required findings are made, the purchase of a lot subject to the restrictions sought to be varied shall not itself constitute a self-created hardship.

(4)

That within the intent and purpose of these Regulations, the variance, if granted, is the minimum variance necessary to afford relief.

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(8230 Elberta Drive Ellicott City MD 21043)

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4. This variance is the minimum variance necessary in order to provide relief. With the current restrictions, the area that is being allotted does not suffice for an efficient build, and will need the proposed adjustment of encroaching ten feet into the current restriction line in order to provide relief.